

AMENDMENT TO
RULES COMMITTEE PRINT 116–57
OFFERED BY MR. HECK OF WASHINGTON

At the end of subtitle I of title V, add the following:

1 **SEC. 5 ____ . ESTABLISHMENT OF WOUNDED KNEE MEDAL OF**
2 **HONOR REVIEW BOARD.**

3 (a) ESTABLISHMENT.—Not later than 60 days after
4 the date of the enactment of this Act, the Secretary of
5 Defense shall establish an advisory board to be known as
6 the “Wounded Knee Medal of Honor Review Board” (in
7 this section referred to as the “Board”).

8 (b) DUTIES AND POWERS.—The duties and powers
9 of the Board are the following:

10 (1) To review the military service records of
11 each individual awarded the Medal of Honor for acts
12 at Wounded Knee Creek, Lakota Pine Ridge Indian
13 Reservation, South Dakota, on December 29, 1890.

14 (2) To review any other records in the custody
15 of the Secretary of Defense related to the awarding
16 of a Medal of Honor described in paragraph (1).

17 (3) To determine, by a vote of not fewer than
18 two members, whether any individual described in
19 paragraph (1) received such award for a reason

1 other than service described in section 7271, 8291,
2 or 9271 of title 10, United States Code.

3 (c) ACCESS TO GOVERNMENT RECORDS.—The Sec-
4 retary of Defense shall provide the Board with records de-
5 scribed in subsection (b).

6 (d) CONSULTATION.—In carrying out its duties, the
7 Board shall seek to consult with groups of indigenous indi-
8 viduals, Tribal officials, and historians of the United
9 States and the Armed Forces.

10 (e) MEMBERSHIP.—The Secretary of Defense shall
11 appoint as members of the Board seven retired general
12 or flag officers who volunteer to serve without compensa-
13 tion.

14 (f) REPORT OF THE BOARD.—Not later than one
15 year after the establishment of the Board under sub-
16 section (a), the Board shall submit to the Secretary of De-
17 fense a report containing the findings and recommenda-
18 tions of the Board regarding, including the name, if any,
19 of an individual described in subsection (b)(3).

20 (g) TERMINATION.—The Board shall terminate upon
21 submittal of the report under subsection (f).

22 (h) ACTION OF THE SECRETARY.—Not later than 30
23 days after receiving the report under subsection (f), the
24 Secretary of Defense shall order the Secretary of the mili-
25 tary department concerned to remove from the Army,

1 Navy, Air Force, and Coast Guard Medal of Honor Roll
2 maintained under section 1134a of title 10, United States
3 Code, the name of each individual described in subsection
4 (b)(3).

5 (i) REPORT OF THE SECRETARY.—Not later than 60
6 days after receiving the report under subsection (f), the
7 Secretary of Defense shall submit to the Committees on
8 Armed Services of the Senate and House of Representa-
9 tives a report including the report under subsection (f)
10 and the name of each individual described in subsection
11 (h).

12 (j) RETURN OF MEDAL NOT REQUIRED.—No person
13 may be required to return to the Federal Government a
14 Medal of Honor under this section.

15 (k) NO DENIAL OF BENEFITS.—This section shall
16 not be construed to deny any individual any benefit from
17 the Federal Government.

